



HILL RIVKINS LLP
45 Broadway, Suite 1500, New York, NY 10006-3793
Tel: 212 669-0600 Fax: 212 669-0698
e-mail: thefirm@hillrivkins.com
Website: www.hillrivkins.com

September 27, 2022

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By ECF

Hon. Mary Kay Vyskocil
United States District Judge
U.S. District Court, Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: **Letter in Support of Unopposed Request to Stay Case;
Request for Brief Extension of Discovery Deadline**
MSC Mediterranean Shipping Company v.
Baltic Auto Shipping, Inc. et al.
Docket No.: 21-cv-7660 (MKV)

Dear Judge Vyskocil:

We represent Fathi Aldukali, a defendant in the above-referenced action, and write in further support of the unopposed September 13 application of Trips Logistics Corp. ("Trips Logistics") to stay this litigation until the Libyan court proceedings have been concluded. (See Doc. Nos. 116-18.) We understand that MSC Mediterranean Shipping Company's ("MSC") appeal of the Libyan judgment is still pending and the most recent hearing was set for September 11, 2022, but MSC's attorney did not attend, reportedly for medical reasons. As MSC's appeal in Libya has not been determined, Trips Logistics' counsel advised this Court last week that the scheduled settlement conference before Judge Parker on October 12, 2022, will not bear fruit. (Doc. No. 117.) Absent a stay, four more depositions are anticipated in the coming weeks, including one tomorrow and one on Thursday, September 29. Accordingly, the parties would be grateful for the Court's guidance as to whether the stay will be granted.

NEW JERSEY
The Bentley Building | 98 Craig Road
Manalapan, NJ 07726
Tel: 732 838-0300 Fax: 732 316-2365

TEXAS
1000 N. Post Oak Rd., Suite 220
Houston, Texas 77055
Tel: 713 222-1515 Fax: 713 222-1359

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If the Court is not inclined to grant the unopposed request to stay the case, with the consent of all parties we would respectfully request an extension of the October 4 discovery deadline by one week to October 11, 2022. Mr. Aldukali is an engineering professor at the University of Alabama in Huntsville who teaches classes Monday through Thursday to a total of more than 200 students and has both professional and religious obligations on Fridays. If the case is not stayed, Mr. Aldukali would like his deposition to take place on October 6, during the university's fall break, to avoid disrupting the students' classes. Plaintiff, MSC, noticed Mr. Aldukali's deposition for October 4 but is willing to take his deposition on October 6, so long as the Court permits it.

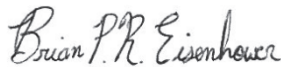
A one-week extension of the discovery deadline may also be helpful to the parties in scheduling the deposition of the Trips Logistics witness. Trips Logistics' counsel advised that the witness has had to attend to important personal matters, including a recent death in the family, that have affected her availability for a deposition before the October 4 discovery deadline.

In accordance with Your Honor's Individual Rules, we note that the Court previously granted a request to extend the discovery deadline to October 4 after additional parties were added to the case. (Doc. No. 111.) As Trips Logistics' counsel noted, MSC's production of about 27,000 pages of documents was not anticipated by the other parties when the prior extension was requested and granted. (Doc. No. 116 at 2.)

We thank the Court for its consideration of these unopposed requests.

Respectfully submitted,

HILL RIVKINS LLP



Brian P. R. Eisenhower

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cc: **By ECF**

Joseph Johnson, Esq. and Eva-Maria Mayer, Esq., counsel for Plaintiff

Timothy D. Barrow, Esq., counsel for Trips Logistics Corp.

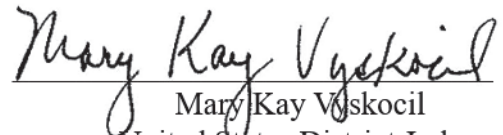
Jay R. McDaniel, Esq. and Chinh Ty Nguyen, Esq., counsel for Baltic Auto Shipping, Inc.

Garry Pogil, Esq., counsel for Baltic Auto Shipping, Corp. and Marine Transport Logistics, Inc.

Patrick Lennon, Esq, counsel for International Auto Group, Inc.

Defendants' unopposed request to stay the case is GRANTED for 60 days only. The parties shall file a joint status letter in 30 days. Within 3 days of any ruling in the Libyan case, the parties shall (1) file a letter informing the Court, and (2) contact Judge Parker's chambers about rescheduling the settlement conference. The Clerk of Court is respectfully requested to terminate the letter motions at ECF 116 and 119.

Date: Sept. 27, 2022
New York, New York


Mary Kay Vyskocil
United States District Judge